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No. 5, Original

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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, [redacted] 58/59

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STATE OF CALIFORNIA

MOTION OF THE STATE OF CALIFORNIA FOR LEAVE TO FILE MOTION AND MOTION FOR EXTENSION OF TIME WITHIN WHICH TO ANSWER.

ROBERT W. KENNY,
Attorney General,
State of California.

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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1945

No. 12, Original

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STATE OF CALIFORNIA

MOTION FOR LEAVE TO FILE MOTION FOR EXTENSION OF TIME WITHIN WHICH TO ANSWER

The State of California, by its Attorney General, asks leave of the Court to file its Motion for Extension of Time Within Which to Answer submitted herewith.

ROBERT W. KENNY,
Attorney General,
State of California.

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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1945

No. 12, Original

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STATE OF CALIFORNIA

MOTION FOR EXTENSION OF TIME WITHIN WHICH TO ANSWER

MAY IT PLEASE THE COURT:

Comes now the above-named defendant, the State of California, and presents this, its motion for extension of time within which to respond to the complaint in the above-entitled cause, and, in support thereof presents the following:

Reasons for This Motion

The United States on October 19, 1945, filed its motion for leave to file bill of complaint. On October 22, 1945, this Court entered its order granting leave to file the bill of complaint and directing process to issue returnable on December 28, 1945.

The undersigned Attorney General of the State of California was absent from the United States on prior engagements until November 10, 1945. Adequate presentation of the case for the State of California will obviously involve much research, legal and factual. Moreover, there arise *in limine* numerous questions which must be resolved or obviated by counsel and which as well require a large amount of investigation and factual research before adequate response to the complaint can be made. The staff available to counsel for the State of California is so limited at the present time that the making of a return on December 28, 1945, complicated by the printing delays incident to the Christmas holiday season, will not only embarrass the routine work of said staff but will as well create the likelihood of prejudice to the rights of the State of California.

WHEREFORE, the defendant respectfully prays that the time within which return of process in the above-entitled cause may be made in this Honorable Court be extended for a period of one month to and including January 28, 1946.

ROBERT W. KENNY,
Attorney General,
State of California.

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